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October 29, 2004

## VIA FACSIMILE & U.S. MAIL

Jeff S. Jordan  
Supervisory Attorney  
Complaint Examination & Legal Administration  
Federal Electric Commission  
999 E Street, NW  
Washington, D.C. 20463

Re: MUR 5546  
Steven C. Russo v. The Leadership Forum, et al.

Dear Mr. Jordan:

Enclosed please find The Leadership Forum's Response to the above-styled Complaint as well as the responses of Susan Hirschmann (erroneously referred to as "Hirschman"), Bill Paxon (erroneously referred to as "Paxton") and Barbara Bonfiglio. Also enclosed please find the required Designation of Counsel Statements relating to this matter.

If you have any questions please do not hesitate to contact me at any time.

Very truly yours,

  
Stefan C. Passantino

SCP:caf

### Enclosures

cc: Susan B. Hirschmann. (w/enc.)  
Bill Paxon (w/enc.)  
Barbara Bonfiglio (w/enc.)

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2004 OCT 29 A 10:50

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## STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each respondent

MUR 5546NAME OF COUNSEL: J. Randolph Evans, Esq. / Stefan C. Passantino, Esq.FIRM: McKenna Long & Aldridge LLPADDRESS: 303 Peachtree Street, N.E.Suite 5300Atlanta, Georgia 30308TELEPHONE: (404) 527-4000FAX: (404) 527-4198

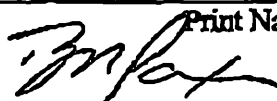
The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Bill Paxton

Print Name

10/29/2004

Date



Signature

SENIOR ADVISOR

Title

RESPONDENT'S NAME: L. William Paxton (sic)ADDRESS: Akin Gump Strauss Hauer & Feld1333 New Hampshire Avenue, N.W.Washington, D.C. 20036

TELEPHONE: HOME \_\_\_\_\_

BUSINESS (202) 659-5249

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## STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each respondent

MUR 5546NAME OF COUNSEL: J. Randolph Evans, Esq. / Stefan C. Passantino, Esq.FIRM: McKenna Long & Aldridge LLPADDRESS: 303 Peachtree Street, N.E.Suite 5300Atlanta, Georgia 30308TELEPHONE: (404) 527-4000FAX: (404) 527-4198

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Barbara Bonfiglio

Print Name

10/22/04  
Date  
SignatureTreasurer  
TitleRESPONDENT'S NAME: Barbara BonfiglioADDRESS: Williams & Jenson1155 21<sup>st</sup> Street, N.W. - Suite 300Washington, D.C. 20036TELEPHONE: BUSINESS (202) 659-8201

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## STATEMENT OF DESIGNATION OF COUNSEL

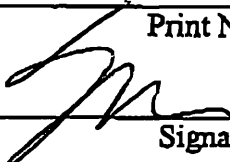
Please use one form for each respondent

MUR 5546NAME OF COUNSEL: J. Randolph Evans, Esq. / Stefan C. Passantino, Esq.FIRM: McKenna Long & Aldridge LLPADDRESS: 303 Peachtree Street, N.E.Suite 5300Atlanta, Georgia 30308TELEPHONE: (404) 527-4000FAX: (404) 527-4198

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Susan B. Hirschmann

Print Name

10/26/04  
Date  
SignaturePresident  
TitleRESPONDENT'S NAME: The Leadership ForumADDRESS: Williams & Jenson1155 21<sup>st</sup> Street, N.W. - Suite 300Washington, D.C. 20036

TELEPHONE: HOME \_\_\_\_\_

BUSINESS (202) 659-8201

27044153775

## STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each respondent

MUR 5546NAME OF COUNSEL: J. Randolph Evans, Esq. / Stefan C. Passantino, Esq.FIRM: McKenna Long & Aldridge LLPADDRESS: 303 Peachtree Street, N.E.Suite 5300Atlanta, Georgia 30308TELEPHONE: (404) 527-4000FAX: (404) 527-4198

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Susan B. Hirschmann

Print Name

10/26/04  
Date  
SignaturePresident  
TitleRESPONDENT'S NAME: Susan B. HirschmannADDRESS: Williams & Jenson1155 21<sup>st</sup> Street, N.W. - Suite 300Washington, D.C. 20036

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BUSINESS (202) 659-8201

27044153776

**BEFORE THE  
FEDERAL ELECTION COMMISSION**

STEVEN C. RUSSO  
875 WEST END AVENUE, APT. 9-B  
NEW YORK, NEW YORK 10025

v.

MUR No. 5546

PROGRESS FOR AMERICA VOTER FUND,  
BRIAN MCCABE,  
MARY ANNE CARTER,  
RALPH R. BROWN,  
PROGRESS FOR AMERICA, INC.,  
THE LEADERSHIP FORUM,  
SUSAN HIRSCHMANN,  
L. WILLIAM PAXON,  
BARBARA BONFIGLIO,  
PRESIDENT GEORGE W. BUSH,  
VICE PRESIDENT RICHARD B. CHENEY,  
BUSH-CHENEY 2004,  
DAVE HERNDON, TREASURER,  
NATIONAL REPUBLICAN COMMITTEE,  
MIKE RETZER, TREASURER

**SUSAN HIRSCHMANN'S, BILL PAXON'S AND  
BARBARA BONFIGLIO'S RESPONSE TO COMPLAINT**

Respondents Susan Hirschmann (erroneously referred to in the Complaint as "Hirschman"), Bill Paxon (erroneously referred to in the Complaint as "Paxton"), and Barbara Bonfiglio, (collectively referred to as the "Individual Forum Respondents") submit this Response to the above-styled complaint (hereinafter, the "Complaint") filed with the Federal Election Commission (hereinafter, the "Commission"). The allegations of the Complaint against the Forum are groundless and represent a virtual replica of allegations previously filed by other Claimants and rejected by the Commission. Having once thoroughly considered and rejected the baseless allegations in this Complaint, the

Commission need give this matter no further investigation or action and the Complaint should be dismissed.

## **I. INTRODUCTION**

Relying on nothing more than a quote or two proffered by individuals having nothing to do with the Individual Forum Respondents, the Claimant has filed the present Complaint with the Commission alleging that the Individual Forum Respondents have violated, or are engaging in a scheme to violate, the Federal Election Campaign Act of 1971 ("FECA" or the "Act") as amended by the Bipartisan Campaign Reform Act of 2002 ("BCRA"). From the utter and complete lack of evidence proffered in support of the allegations against the Individual Forum Respondents, as well as the reliance upon allegations and evidence already expressly rebuked by the Commission, one can only conclude that the Individual Forum Respondents have been added as respondents to this action to harass them and as a last-minute political ploy on the eve of an election. Consequently, there is no basis to initiate a second investigation of the Individual Forum Respondents and their activities.

## **II. THE ALLEGATIONS RAISED IN THE COMPLAINT AGAINST THE INDIVIDUAL FORUM RESPONDENTS**

At its core, the Complaint alleges that the Individual Forum Respondents, and other groups, are the embodiment of a scheme by party and political operatives to circumvent BCRA by using soft money to support President Bush. See, Complaint, p.3. Specifically, the Complaint alleges that the respondents are "coordinating" their activities

with President Bush, Vice President Cheney, Bush-Cheney 2004, the Republican National Committee and others. Id., p. 9. As such, the Complaint alleges, the respondents, including the Individual Forum Respondents, "have violated the Federal Election Campaign Act". Id., p. 10. Even a cursory review of the Complaint reveals that the Claimant appears to have little understanding of BCRA or the Commission's rule-making and advice.

The sole "evidence" the Complaint manages to muster against the Individual Forum Respondents relates to the past party affiliations of certain officers and advisory board members<sup>1</sup> (Id., p. 6) and the fact that two Federal candidates have "spoken to potential donors to the Leadership Forum." Id., p. 7. Even accepting, *arguendo*, that everything the Complaint alleges is true, the Complaint fails to assert any allegations meriting further inquiry by the Commission. For example, the Complaint is unable to cite any quotes by any individual associated with the Individual Forum Respondents in support of its allegation that the Individual Forum Respondents have, or intend to, participate in the Presidential election. The Complaint is similarly unable to assert that any Federal candidates have coordinated political activities with the Individual Forum Respondents or solicited any funds – of any type – for the Leadership Forum.

The best the Complaint can muster is an allegation that IF the Leadership Forum makes "large expenditures on the Bush campaign's behalf, any expenditures will . . . constitute illegal contributions to the Bush campaign due to the interlocking network of advisors and funders . . . because they will be the result of cooperation and consultation with the Bush campaign and the RNC." Id., p. 9. The Complaint is utterly unable to

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<sup>1</sup> No such allegation is even made against Respondent Bonfiglio.



allege facts even potentially giving rise to a reasonable basis for inquiry whether the Individual Forum Respondents have violated the Act.

**III. THE COMMISSION'S PREVIOUS ANALYSIS OF THE INDIVIDUAL FORUM RESPONDENTS**

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In MUR 5338, dated April 2, 2003, the Commission considered, and rejected, virtually identical allegations against the Individual Forum Respondents (with the exception of Ms. Bonfiglio who was not named in that action and is not accused of any personal wrongdoing or improper former relationships in this action) to those presented here. Copies of the Commission's Statement of Reasons (April 24, 2003) and the accompanying First General Counsel's Report (March 27, 2003) dismissing MUR 5338 are attached as Exhibits A and B to The Leadership Forum Inc.'s Response to Complaint.<sup>2</sup> In reaching its conclusion that the Individual Forum Respondents are not in violation of BCRA, the Commission specifically *considered and rejected* as evidence of wrongdoing the relationship between members of the Individual Forum Respondents and House Republican leaders (compare, Exhibit B, p. 5-8 and Complaint, p. 6).

Ultimately, with respect to the association of certain members of the Individual Forum Respondents to members of the Republican Leadership, raised again by the Claimant in the current Complaint, the Commission recognized that "[o]f the five individuals who appear to be most closely associated with the Individual Forum Respondents, one is a former Chairman of the NRCC; two are former NRCC staff members, [and] one left a position last August as chief of staff to the then-Majority Whip,

<sup>2</sup> To prevent the needless duplication of identical exhibits, all exhibits referred to herein are attached to the Leadership Forum Inc.'s Response to Complaint.

who is now Majority Leader". Notwithstanding these relationships, in MUR 5338, the Commission expressly held that "something more than the mere fact of such informal, ongoing relationships between the personnel of a potentially sponsoring and potentially sponsored entity is necessary to support a conclusion of 'establishment, financing, maintenance or control'" under BCRA. Id.

Ultimately, in MUR 5338, the Commission thoroughly considered, and rejected, all of the "evidence" of a violation relied upon in the current Complaint and concluded that there was no reason to believe that the Individual Forum Respondents had violated the Act or BCRA. See, Exhibit A, p. 1 & Exhibit B, p. 33. For the same reasons, the same conclusion is appropriate once again.

IV. ANALYSIS OF THE ALLEGATIONS RAISED IN THE COMPLAINT AGAINST THE INDIVIDUAL FORUM RESPONDENTS

As stated above, the core allegation in the current Complaint is that the respondents are coordinating with the Bush campaign to influence his re-election efforts. Complaint, p.3, 5-7, 9. Not only is the Claimant utterly unable to provide any proof in support of those allegations with respect to the Individual Forum Respondents, but rather, all available evidence supports the exact *opposite* conclusion. This is because the Leadership Forum was expressly created, and has been operated, *not* to influence Federal candidate elections or to coordinate with Federal candidates.

The Leadership Forum is a Virginia non-stock corporation that is registered with the Internal Revenue Service as a Section 527 Political Organization. The express purpose of the Leadership Forum is "[t]o engage in nonfederal political activities on

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state and local levels and engage in dialogue on issues of importance to all Americans.”

See Notice of Section 527 Status, filed with the IRS (attached as Exhibit C to The Leadership Forum Inc.’s Response to Complaint). In order to have the freedom to fully participate in state and local election activities as allowed by applicable state law, the Leadership Forum and its officers expressly recognized that they would *not* engage in any activities that would subject them to FECA regulations. Therefore, The Leadership Forum’s Articles of Incorporation expressly *forbid* it from engaging in “Federal Election Activity” as defined by the BCRA. Leadership Forum Articles of Incorporation (attached as Exhibit D to The Leadership Forum Inc.’s Response to Complaint).

The Leadership Forum also understood that to assure that FECA restrictions did not apply, it could not be deemed to be directly or indirectly established, maintained, or controlled by a political party or a Federal candidate. Consequently, its Articles of Incorporation expressly provide as follows:

The corporation shall not permit any employee of a Federal candidate or state, district or local committee of any political party to directly or indirectly establish, maintain, finance or control the corporation. The corporation shall not permit any employee of a Federal candidate or state, district or local committee of any political party to be employed by, or provide services to, the corporation. The corporation shall not authorize candidates for Federal office, nor their actual agents, to solicit, receive, direct, transfer or spend funds of any kind for the corporation

Id. In short, the Leadership Forum is a wholly independent organization that, aside from sharing a common ideology, has no affiliation with any Federal political party or candidate.

Similarly, there is nothing improper or illegal about a Federal candidate addressing an organization such as the Leadership Forum. On the contrary, the

Commission has recognized that Federal office holders may even *attend fundraising events* designed to raise funds *outside* the Act's contribution limits and source prohibitions provided the Federal officeholder "only ask[s] for funds that are not in excess of the amounts permitted with respect to contributions to candidates under 2 U.S.C. 441a(a), and that are not from sources prohibited by the Act from making contributions in connection with an election for Federal office." FEC Advisory Opinion 2003-37; see also FEC Advisory Opinions 2003-3 and 2003-36. In the present case, the Complaint is unable to allege that any Federal officeholder has ever solicited funds for the Leadership Forum in excess of federal limits because, in fact, *no Federal officeholder has ever solicited any funds for the Individual Forum Respondents.*<sup>3</sup> The Complaint is similarly unable to allege – because no facts could support such an allegation – that the Leadership Forum is in any way financed, maintained, established or controlled by any national party or Federal officeholder. As such, the Complaint is devoid of any allegations possibly giving rise to a reason to believe that the Individual Forum Respondents or the Leadership Forum have engaged in any activity contrary to the Act.

#### IV. CONCLUSION

The Commission should not allow the complaint process to continue to be abused in this way. The Individual Forum Respondents have done nothing to violate the FECA.

<sup>3</sup> The Complaint makes note of a July 6, 2004 dinner hosted by the Forum "featuring House Speaker J. Dennis Hastert (R-Ill)" and a speech by Senator Rick Santorum as evidence of coordination between the Forum and the Bush Campaign. Complaint, p. 6-7. As discussed above, there is nothing improper about these appearances by Federal candidates. The Complaint does not, and can not, allege that these Federal candidates solicited funds of any kind on behalf of the Forum. On the contrary, the evidence reveals that these individuals hosted issue discussions at which no funds of any kind were solicited or accepted. Attached as Exhibit E to The Leadership Forum Inc.'s Response to Complaint is a copy of the invitation to the July 6 event referenced in the Complaint.

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On the contrary, it is quite apparent that the Individual Forum Respondents have taken great steps to ensure that their activities will be in compliance with Federal law. However, notwithstanding the fact that there is absolutely no evidence that would indicate that the Individual Forum Respondents have, or will, violate the Act, the Claimant has seen fit to reassert past allegations and "evidence" expressly considered and rejected by the Commission. The Commission must dismiss the Complaint against the Individual Forum Respondents and find no reason to believe that the Individual Forum Respondents have violated the Act or the regulations promulgated thereunder.

Respectfully Submitted,



J. Randolph Evans  
Stefan C. Passantino  
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Suite 5300  
Atlanta, Georgia 30308

1900 K Street, NW  
Washington, DC 20006  
Telephone: (202) 496-7138

Designated counsel for the Leadership  
Individual Forum Respondents, Inc.

**BEFORE THE  
FEDERAL ELECTION COMMISSION**

STEVEN C. RUSSO  
875 WEST END AVENUE, APT. 9-B  
NEW YORK, NEW YORK 10025

v.

MUR No. 5546

PROGRESS FOR AMERICA VOTER FUND,  
BRIAN MCCABE,  
MARY ANNE CARTER,  
RALPH R. BROWN,  
PROGRESS FOR AMERICA, INC.,  
THE LEADERSHIP FORUM,  
SUSAN HIRSCHMANN,  
L. WILLIAM PAXON,  
BARBARA BONFIGLIO,  
PRESIDENT GEORGE W. BUSH,  
VICE PRESIDENT RICHARD B. CHENEY,  
BUSH-CHENEY 2004,  
DAVE HERNDON, TREASURER,  
NATIONAL REPUBLICAN COMMITTEE,  
MIKE RETZER, TREASURER.

**THE LEADERSHIP FORUM INC.'S RESPONSE TO COMPLAINT**

Respondent, The Leadership Forum, Inc. (the "Forum") submits this Response to the above-styled complaint (hereinafter, the "Complaint") filed with the Federal Election Commission (hereinafter, the "Commission"). The allegations of the Complaint against the Forum are groundless and represent a virtual replica of allegations previously filed by other Claimants and rejected by the Commission. Having once thoroughly considered and rejected the baseless allegations in this Complaint, the Commission need give this matter no further investigation or action and the Complaint should be dismissed.

## **I. INTRODUCTION**

Relying on nothing more than a quote or two proffered by individuals having nothing to do with the Forum, the Claimant has filed the present Complaint with the Commission alleging that the Forum has violated, or is engaging in a scheme to violate, the Federal Election Campaign Act of 1971 ("FECA" or the "Act") as amended by the Bipartisan Campaign Reform Act of 2002 ("BCRA"). From the utter and complete lack of evidence proffered in support of the allegations against the Forum, as well as the reliance upon allegations and evidence already expressly rebuked by the Commission, one can only conclude that the Forum has been added as a respondent to this action as a last-minute political ploy on the eve of an election rather than as a respondent to a legitimate complaint. Consequently, there is no basis to initiate a second investigation of the Forum and its activities.

## **II. THE ALLEGATIONS RAISED IN THE COMPLAINT AGAINST THE FORUM**

At its core, the Complaint alleges that the Forum, and other groups, are the embodiment of a scheme by party and political operatives to circumvent BCRA by using soft money to support President Bush. See, Complaint, p.3. Specifically, the Complaint alleges that the respondents are "coordinating" their activities with President Bush, Vice President Cheney, Bush-Cheney 2004, the Republican National Committee and others. Id., p. 9. As such, the Complaint alleges, the respondents, including the Forum, "have violated the Federal Election Campaign Act". Id., p. 10. Even a cursory review of the Complaint reveals that the Claimant appears to have little understanding of BCRA or the Commission's rule-making and advice.

The sole "evidence" the Complaint manages to muster against the Forum relates to the past party affiliations of certain officers and advisory board members (Id., p. 6) and the fact that two Federal candidates have "spoken to potential donors to the Leadership Forum." Id., p. 7. Even accepting, *arguendo*, that everything the Complaint alleges is true, the Complaint fails to assert any allegations meriting further inquiry by the Commission. For example, the Complaint is unable to cite any quotes by any individual associated with the Forum in support of its allegation that the Forum has, or intends to, participate in the Presidential election. The Complaint is similarly unable to assert that any Federal candidates have coordinated political activities with the Forum or solicited any funds – of any type – for the Forum.

The best the Complaint can muster is an allegation that IF the Forum makes "large expenditures on the Bush campaign's behalf, any expenditures will . . . constitute illegal contributions to the Bush campaign due to the interlocking network of advisors and funders . . . because they will be the result of cooperation and consultation with the Bush campaign and the RNC." Id., p. 9. The Complaint is utterly unable to allege facts even potentially giving rise to a reasonable basis for inquiry whether the Forum has violated the Act.

### **III. THE COMMISSION'S PREVIOUS ANALYSIS OF THE FORUM**

In MUR 5338, dated April 2, 2003, the Commission considered, and rejected, virtually identical allegations against the Forum to those presented here. Copies of the Commission's Statement of Reasons (April 24, 2003) and the accompanying First General Counsel's Report (March 27, 2003) dismissing MUR 5338 are attached hereto as Exhibits A and B. In reaching its conclusion that the Forum is not in violation of



BCRA, the Commission specifically *considered and rejected* as evidence of wrongdoing the relationship between members of the Forum and House Republican leaders (compare, Exhibit B, p. 5-8 and Complaint, p. 6).

Ultimately, with respect to the association of certain members of the Forum to members of the Republican Leadership, raised again by the Claimant in the current Complaint, the Commission recognized that “[o]f the five individuals who appear to be most closely associated with the Forum, one is a former Chairman of the NRCC; two are former NRCC staff members, [and] one left a position last August as chief of staff to the then-Majority Whip, who is now Majority Leader”. Notwithstanding these relationships, in MUR 5338, Commission expressly held that “something more than the mere fact of such informal, ongoing relationships between the personnel of a potentially sponsoring and potentially sponsored entity is necessary to support a conclusion of ‘establishment, financing, maintenance or control’” under BCRA. Id.

Ultimately, in MUR 5338, the Commission thoroughly considered, and rejected, all of the “evidence” of a violation relied upon in the current Complaint and concluded that there was no reason to believe that the Forum had violated the Act or BCRA. See, Exhibit A, p. 1 & Exhibit B, p. 33. For the same reasons, the same conclusion is appropriate once again.

IV. ANALYSIS OF THE ALLEGATIONS RAISED IN THE COMPLAINT AGAINST THE FORUM

As stated above, the core allegation in the current Complaint is that the respondents are coordinating with the Bush campaign to influence his re-election efforts. Complaint, p.3, 5-7, 9. Not only is the Claimant utterly unable to provide any proof in

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support of those allegations with respect to the Forum, but rather, all available evidence supports the exact *opposite* conclusion. This is because the Forum was expressly created, and has been operated, *not* to influence Federal candidate elections or to coordinate with Federal candidates.

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The Forum is a Virginia non-stock corporation that is registered with the Internal Revenue Service as a Section 527 Political Organization. The express purpose of the Forum is "[t]o engage in nonfederal political activities on state and local levels and engage in dialogue on issues of importance to all Americans." See Notice of Section 527 Status, filed with the IRS (attached hereto as Exhibit C). In order to have the freedom to fully participate in state and local election activities as allowed by applicable state law, the Forum expressly recognized that it would *not* engage in any activities that would subject it to FECA regulations. Therefore, its Articles of Incorporation expressly *forbid* it from engaging in "Federal Election Activity" as defined by the BCRA. Leadership Forum Articles of Incorporation (attached hereto as Exhibit D).

The Forum also understood that to assure that FECA restrictions did not apply, it could not be deemed to be directly or indirectly established, maintained, or controlled by a political party or a Federal candidate. Consequently, its Articles of Incorporation expressly provide as follows:

The corporation shall not permit any employee of a Federal candidate or state, district or local committee of any political party to directly or indirectly establish, maintain, finance or control the corporation. The corporation shall not permit any employee of a Federal candidate or state, district or local committee of any political party to be employed by, or provide services to, the corporation. The corporation shall not authorize candidates for Federal office, nor their actual agents, to solicit, receive, direct, transfer or spend funds of any kind for the corporation

Id. In short, the Forum is a wholly independent organization that, aside from sharing a common ideology, has no affiliation with any Federal political party or candidate.

Similarly, there is nothing improper or illegal about a Federal candidate addressing an organization such as the Forum. On the contrary, the Commission has recognized that Federal office holders may even *attend fundraising events* designed to raise funds *outside* the Act's contribution limits and source prohibitions provided the Federal officeholder "only ask[s] for funds that are not in excess of the amounts permitted with respect to contributions to candidates under 2 U.S.C. 441a(a), and that are not from sources prohibited by the Act from making contributions in connection with an election for Federal office." FEC Advisory Opinion 2003-37; see also FEC Advisory Opinions 2003-3 and 2003-36. In the present case, the Complaint is unable to allege that any Federal officeholder has ever solicited funds for the Forum in excess of federal limits because, in fact, *no Federal officeholder has ever solicited any funds for the Forum.*<sup>1</sup> The Complaint is similarly unable to allege – because no facts could support such an allegation – that the Forum is in any way financed, maintained, established or controlled by any national party or Federal officeholder. As such, the Complaint is devoid of any allegations possibly giving rise to a reason to believe that the Forum has engaged in any activity contrary to the Act.

<sup>1</sup> The Complaint makes note of a July 6, 2004 dinner hosted by the Forum "featuring House Speaker J. Dennis Hastert (R-Ill)" and a speech by Senator Rick Santorum as evidence of coordination between the Forum and the Bush Campaign. Complaint, p. 6-7. As discussed above, there is nothing improper about these appearances by Federal candidates. The Complaint does not, and can not, allege that these Federal candidates solicited funds of any kind on behalf of the Forum. On the contrary, the evidence reveals that these individuals hosted issue discussions at which no funds of any kind were solicited or accepted. Attached hereto as Exhibit E is a copy of the invitation to the July 6 event referenced in the Complaint.

**IV. CONCLUSION**

The Commission should not allow the complaint process to continue to be abused in this way. The Forum has done nothing to violate the FECA. On the contrary, it is quite apparent that the Forum has taken great steps to ensure that its activities will be in compliance with Federal law. However, notwithstanding the fact that there is absolutely no evidence that would indicate that the Forum has, or will, violate the Act, the Claimant has seen fit to reassert past allegations and "evidence" expressly considered and rejected by the Commission. The Commission must dismiss the Complaint against the Forum and find no reason to believe that the Forum has violated the Act or the regulations promulgated thereunder.

Respectfully Submitted,



J. Randolph Evans  
Stefan C. Passantino  
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Atlanta, Georgia 30308

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Telephone: (202) 496-7138

Designated counsel for the Leadership  
Forum, Inc.